**January 5, 2022**

**To: Boulder City Council, City Manager, and City Attorney**

**From: The Repeal CU South Annexation Executive Committee**

**Allyn Feinberg, Peter Mayer, Margaret LeCompte, Harlin Savage, Helen Burnside, Amy Siemel, Steven Telleen, Diane Curlette**

**Subject:  Please Add These Considerations to the Agenda for the City Council Retreat**

**Re: It**’**s easier to damage the environment than to fix it.**

It’s more convenient to do nothing about impending climate change disasters than to confront the challenges. Boulder, of all communities, must adapt creatively and aggressively to protect our city from future catastrophes including fire and flood. If Boulder is unable to prepare for climate change, right here and right now, what city in the world can?

We ask the new City Council to set aside differences and ideology and begin to right the wrongs and mistakes made by past administrations regarding flood mitigation and annexation of the CU-South property.  Please put on the table the following key issues that tie these matters directly to climate change and climate actions:

         CU-South:  Building a new city in the last undeveloped floodplain in Boulder is folly. In 2001, CU’s nationally recognized expert on floods and land use, Professor Gilbert White,  and his expert panel put forward a sensible and forward-thinking plan for the South Boulder Creek Floodplain which recommended 500-year flood mitigation and no development. It’s time we listened to our own greatest experts. Please re-envision what should be done for with the SBC floodplain. Follow Prof. White’s guidelines to restore and preserve its environment for its rare habitat, recreational and aesthetic value, as well as its contribution to carbon sequestration, wetlands preservation, and flood mitigation.  Please heed legitimate public outcry over the devastating impact of CU’s development plans on air, water, light, and noise pollution, its over-densification of an already densely populated and traffic choked set of neighborhoods. Nothing in the annexation agreement adequately identifies or mitigates these impacts.  The annexation negotiation has produced a failed product. Please start over and re-do the entire plan for CU-South.  That’s what will happen when the Referendum to Repeal is passed.

         Housing:  The housing proposed for CU-South actually will exacerbate the housing shortage rather than helping.  It is insufficient by more than half to accommodate even the student and employee needs that will be generated by the proposed new campus. Any housing benefit CU has promised to the City is a myth.  Since housing is a regional problem, we ask that a regional solution be sought. Please note these flaws in the annexation agreement:

A.     The standard engineering formula specifies one person per 150 sq. ft. of non-residential floor area which means 5,000 *new* faculty, staff, and student positions requiring housing.

B.     The current agreement only requires CU to provide 110 permanently affordable housing units and 1,100 residential units. And it does not define what “affordable” and “permanently affordable” mean.

C.     The addition of 1,210 housing units for 5,000 new positions does not improve Boulder’s current 3:1 jobs to housing imbalance.

D.     The square footage housing requirement called for in the agreement of 2:1 residential/non-residential square would only provide 300 residential square feet per new position, clearly inadequate for any faculty, staff, or married student housing!

         Flood mitigation: Annexation and development of CU-South will greatly complicate provision of flood mitigation.  Planning for the future requires both a 500-year level of flood protection and recognition that many technical issues and flaws in the flood mitigation project have never been addressed. The current 100-year plan mandated by CU eliminates flood protection for the additional 1,100 properties and 2,300 Boulder residents that would be protected by a much safer 500-year solution—at minimal additional cost.

         Citizens and community experts repeatedly have questioned:

a.       The adequacy of the flood detention pond being proposed.

b.      The equity issues involved in spending all available flood control funds—for the foreseeable future—on one small part of the community’s flood-risk areas.

c.       The legality of using increased stormwater assessments for all Boulder residents to pay for a flood control project that benefits only a small portion of the city and does not, in fact, actually address stormwater flows (over hard surfaces).

d.      The fact that the current SBC mitigation project only addresses stream flows that contributed 30% of the flooding in 2013, and it ignores major flooding from Viele Channel, Bear Creek, Dry Creek Ditch, and Anderson Ditch.

e.      That funds for improving the flood mitigation impact of these unaddressed tributary streams are not budgeted and plans for mitigating them remain unidentified.

f.        That the proposed project may, in fact, actually increase flooding in the Frasier Meadows neighborhood and in adjacent neighborhoods like Tantra.

g.       That building local flood walls around, or raising the ground levels of,  individual parcels of land to “raise them out of the floodplain” and facilitate development (as has happened with the very unwise Waterview development on Arapahoe) will only increase flooding downstream and in adjacent areas.

h.      That the groundwater conveyance plans are untested and poorly conceptualized and may result in destruction of wetlands on both sides of Hwy 36.

i.         That the floodwall and dam itself isolate any development at CU-South by creating a barrier between it and adjacent roadways and neighborhoods.

j.        That inadequate emergency services exist for any proposed development, and plans to create them do not address the impact of changed services on neighboring areas.

k.       That the entire project relies on outmoded, heavy infrastructural construction to control floods, not best-practice use of natural stream flows, detention and diversion for flood mitigation.

l.         And that the project requires the creation of a dangerous access and egress point on Hwy 93, at possibly the worst location for such an intersection on that state highway.

         Growth: Consider how to balance desires for untrammeled growth against the realities of Boulder’s already overtaxed infrastructure, clogged roads, inadequate and far-too-expensive housing supply, over-used recreational facilities, open spaces, libraries, parks and amenities, and underfunded social and educational services.

         Water:  If the firestorm this New Years’ Eve demonstrated nothing else, it made clear that Colorado’s climate is changing.  Increasing drought means a shrinking water supply and diminished reservoirs and river flows which will only get worse as pressures increase for excessive population growth and development.  A new plan for CU-South is required, one that recognizes that increased building at the urban/open space interface will place more and more neighborhoods at risk.  Had the wind directions been slightly different, or the fire source slightly further north, CU-South and all of South Boulder could have been incinerated.

We have a chance to get flood mitigation done right in South Boulder, but it won’t happen if the known complex problems continue to be ignored.  We can create a community that’s resilient in the face of future climate change challenges, but not if we ignore our finest experts and continue to behave as if past outmoded practices are still viable.

Right here, right now, Boulder’s City Council must create a visionary agenda to respect and preserve nature, envision the kind of community that is generative and livable for all, re-evaluate our land use priorities, and plan for sustainability in the future.  Right now, we are not on the correct path.